411 Yaelima it is sometimes as deep as five centimeters. The bow and arrow of the type we have just described serves both as an offensive and a defensive weapon. Its importance as a weapon must have formerly been greater. In our time wars between [71] tribes have become almost impossible. Attacks and reprisals by ● 67] individuals, on the other hand, are still rather frequent. This is especially true of the region east of Opombo. Every free Iparga, Barira, Bokala, and Yaelima owns a bow and arrows and does not hesitate to use them either to defend himself or to attack.

234 Hunting with bow and arrow is done on an individual basis. The game taken in this way belongs wholly to the hunter. [68]

341] Among the Yaelima we found an arrow with a removable head that is notably larger, wider, and stronger, and that is attached to the shaft by thin cords. The natives use these arrows for hunting antelope and buffalo. When the animal is hit, the arrowhead penetrates its body, and the surprised victim flees into the bush or forest. The shaft of the arrow, buffeted by the tall grass or lianas, gradually works itself loose. The head, attached to the shaft by a cord, remains in the wound. With each motion, the animal enlarges its wound. The shaft, sooner or later, is caught in the lianas or grass, with the result that the head is violently jerked from the wound, making it a mortal one. This very dangerous weapon is not widespread, and for good cause. The native can use it effectively only for a point-blank shot. The range of the bow is limited; the arrow with the removable point is heavy; the iron point is very wide and has small barbs. To succeed in planting this arrow in the body of the animal, it is necessary to creep to within several meters of the game, to string the bow without attracting the animal's attention, and to hit it in the belly. The wounded beast may seek its salvation in wild and fatal running, but it sometimes turns against its attacker. In any case, the hunter who uses these arrows cannot do so without risking great [70] danger. Although the native likes to hunt, he also fears the dangers associated with this occupation. The only ones who use these arrows are the intrepid true hunters who have inherited some of the instinct and audacity of the Benua [Twa]. Inuma, chief of the Barira of the Oshwe region, who was audacious to the highest possible degree and feared no animal, obstacle, or danger, asserted to me that he and a few other hunters did not hesitate to attack elephants with this weapon.

other hand almost always involves removing and is founded on a high morality based on religion. Furthermore, the questions (of property, inheritance, etc.) which so often divide relatives from each other do not exist among the Nkundó, whose patrimony is held in common. [25] Among them the members of a family need each other absolutely and constantly; they cannot sustain the struggle for existence unless they remain well united. A man isolated from his kin is a pariah, for in all matters of importance he must count on them for help, protection, and defense. Therefore he is, so to speak, forced to make common cause with the rest of the family and to keep his proper place within it.

This may help us to understand that among these people there are fewer reasons for a cooling of family affections and more reasons for maintaining good relations. But it would be wrong to attribute their love to some kind of egoistic calculation. Their affection is sincere and spontaneous. But the above facts explain why the disunity and quarrels which are so frequent in Europe are unknown among the Nkundó; they are settled at once and do not have time to become bitter or deeply rooted. A very rare exception does not invalidate this generalization.

1. Parents and children

Parents sincerely love their children. Their affection is not lessened with age; there is only a somewhat greater tenderness toward the very young, whom they readily carry and fondle. The indulgence which they show for the faults of their offspring is tempered by anger when they are exasperated by misbehaviour, more often than by a rational concern for the child's training. The spouse who has not suffered from the child's error does not react against him but on the contrary is led by his affection to protect him. Parents insistently try to excuse and defend their children when they have misbehaved. (1)

1. It should be noted that the same thing may also frequently be done among many Europeans.

Nevertheless, the general good of the clan wins out over affection.

575 everything. But they only succeed if they have no sons old enough
576 to defend their mother. Differences in behavior are due to the character of the persons involved. (1)

1. See Chapter VIII, Article I.

577 Only religion can bring about a radical change in this domain.
578 We are still far from our goal, but a few serious Christians have al-
579 ready begun to adapt to the requirements of a higher morality and to deal with their wives in conformity with the sanctity of marriage though he or she may be ill. Yet it is more difficult for them to do this than for the others, since this same morality forbids [20] polygamy and all other means of satisfying passion.

An admirable case is that of Bekau Marie, daughter of Ewald D'Almbo (Bonkoma). Her husband, Bokombeemba Pierre of Mbalk, suffered from leprosy for many years. He could no more perform the sexual act than do any real work. His wife therefore had to support herself with the help of her son. In spite of her freedom, her separation from her native village, and the ill feelings borne her by her husband's family, she did not want to leave him but decided that she would continue to devote herself to him. (1)

1. Her action is due only in part to Christian influence. That is why this case belongs here to the exclusion of some others I could describe, which are due solely to the influence of Christian morality upon the souls of the individuals.

577 If there is a dispute between her family and her husband, it
578 is hard to know in advance which side the wife will take. Similarly, if difficulties arise between the husband's family and his wife, he can take either his wife's side or that of his relatives. It is all a matter of individual temperament. Some people spontaneously lend support to their families, others on the contrary take sides with their wives. A woman or a man who without good reason habitually takes

sides with his family against his wife does not have the approval of those who judge the conflict simply as neutral spectators. In such a case it is usually felt that the couple do not love each other very much. And often the marriage soon breaks up. But if the union is maintained nevertheless, its continuation is generally attributed to a fear of the consequences of dissolving the marriage, which would be even worse. The same sort of variation among individuals is to be found in the matter of a wife's devotion to the interests of her husband's family.

It is not possible to compare a native household to the households of good simple people at home, where [40] the family is composed solely of parents and their children. Here it extends further; the husband's interests are also those of his parents, brothers, uncles, etc. As we will see in connection with marriage by inheritance it is not unusual for a woman to remain attached to her deceased husband's family. Others are more interested in enriching their own families.

The following is a historical instance of a wife who was very devoted to her husband's interests, though there seemed to be room in her make-up for pride and personal glory. (1): Bolēmbē wā

1. According to my estimates, this episode is about a hundred years old. I knew two men who had recollections of it: the elder (Longwōkē of the Bankē Bongōngē, Bongōlī) was about twenty years old when it occurred. A great-granddaughter of Bonyemē (Mpuntē Sofia) is now in her forties.

nkōlī, daughter of Bokombe of Lintī (Nombwanja), was married to Bonyemē w'Ēnyokē of Bongando (Bonkoso). One day (her father having died in the meantime) she went back to visit her brother, Bompelī w'Ilombo, who had left Lintī to settle in his maternal village, Itōlo of the Bofondē. They began to quarrel. Bompelī maintained that Bonyemē wasn't worth much, that his wealth was exaggerated, that it was a mistake to honor him, etc. Bolēmbē

are reassured by the fact that they are in a group, so that no one feels singled out by the gaze of the passer-by. Washing away from major streams is always surrounded by more propriety. For this purpose a small enclosure (ikomba) is built behind the hut or among the banana trees, or a small thicket is allowed to grow there. By this means the native is sheltered from indiscreet glances if he wants to take a bath or give himself an enema. As a matter of fact these things are done preferably after dark.

8) Violent anger or sorrow drown out modesty, just as they momentarily destroy the use of reason and suppress all feelings which are contradictory or simply different. In this situation, too, the man shows himself superior to the woman. He is less impulsive, calmer, less prone to lose control of his actions, to be carried away by his anger. Thus he almost never strips himself bare. The woman, on the other hand, readily strips off all her clothing. This behavior is extremely common; a woman undresses completely whenever she experiences great sorrow or intense anger. Luckily for propriety's sake some friend or relative always hastens to cover at least the essential parts. For a woman who throws off her clothing exposes herself to the mockery and jeers of spectators. (1)

1. An angry woman may also undress to shame her husband; it is a way of insulting and mocking him.

9) The Nkundó practice sexual intercourse only at night. I believe that this custom is due to their sense of propriety, [57] supplemented by a superstitious explanation which will be described in detail in Article V.

7) The sense of modesty has its fullest expression in relation to parents, brothers, sisters, etc. Thus it is unheard of that a son should see his mother naked: *Mwa Nkoñdi ñsumɛ ɔwaŋɛ*. If an adult daughter is ill and requires personal care (such as an enema, for example), the father has to take care of her himself if no other female relative is near by. But their sense of modesty is such that they both shed tears over the event. As a matter of fact this situation

even answer her husband, but he may indicate his presence by coughing lightly.

Any infraction of these rules is considered a grave insult. A person offended in this manner may seek revenge by violent means, either personally or through the medium of his son, brother, etc. According to native justice he will always be in the right, even if the quarrel becomes bloody. The simple act of uttering obscenities while passing in front of a house in which there is someone who is entitled to the speaker's respect may result in reprisals by the latter. (1)

1. See Jadot, Blancs et Noirs au Congo belge [Whites and Blacks in the Belgian Congo], p. 90.

Crude language is especially reprehensible and wounding if it contains allusions to incest or other reflections on a relative whom the speaker wants to insult. And it must be admitted that such expressions may go beyond the limits (for example: coi cum patre, matre, fratre, sorore, etc.). In connection with this topic it should be noted that reference is always made to a relative of the opposite sex to that of the person who is directly or indirectly being addressed. Furthermore, licentious talk and the use of indecorous language are more severely condemned when they take place in the presence of women and old people [60] or are said by a slave in front of his master, by a Batswa in front of a Bantu (1).

1. See Introduction, footnote 2, p. 4.

If a man catches anyone uttering obscenities in front of his wife, especially if they are addressed to her personally, he can start action in adultery proceedings. If the woman refuses to listen to the seducer, she will not answer him, or sometimes, annoyed at the insult, she may retort by insulting his mother. She can complain, but generally she does not do so. Is she ashamed, or is she afraid that the tempter might make public some excess in her conduct which he has discovered? In any case a woman is more sensitive than a man to the

• 578 shame of obscenities. They say: Nkôf mâvoi dô bindi ô Mômoto, 684 Mômoto nâf nâma (nâfâ) "A woman is a nâma snake. Just as that 634 reptile twists through the grass and rolls up as soon as it sees a man approaching, so a woman finds it difficult to endure any obscenity."

The ideal way to be sure whether an expression is actually considered indecent is to check whether it may be used in the presence of a close relative, for a Nkundô never utters an obscenity in front of such a person.

Among the Nkundô, as in Europe, certain indelicate exclamations are so deeply rooted that they seem to have lost their original meaning, that is, most of the population no longer thinks of it at all. That a few more serious and modest individuals are still aware of it is apparent from the way they change the pronunciation of the terms in question.

Licentious expressions are never considered indecent and shock no one when they are uttered in a group or during group activities. 571) Such activities include communal fishing and hunting expeditions, [61] drinking parties, dances, funerals, and -- at the present time -- communal work on a road, a rathouse, etc.

Thus we see that in these matters there is a remarkable discretion side by side with a certain degree of tolerance, which may be carried quite far. Licentious remarks are not condemned in themselves, but only because of fortuitous circumstances, so we see that the Nkundô do not consider them from a moral point of view, as we do, but from a social one. But the fact that these are precisely the words which can become indecent and socially bad shows that the native sees in their content something shocking, shameful, some quality likely to give offense. The freedom exercised in certain cases does not alter this general conclusion but simply gives evidence of he indifference of a passionate nature.

3. Dances

535 Nkundô dances change periodically, as is the fashion in Europe. Old dances are given up after a time and are replaced by others which are newly invented or recently introduced. The dances fashionable at the present time come from the Bamongô, who are by

584 the gravity of this situation. They try to make him change his mind and to dissuade him from accepting the bride price. To that end they try to make him see the consequences of his obstinacy: at the first favorable opportunity the woman will take flight, leading to palavers (and in the past often war), imprisonment, all sorts of troubles, and finally the bride price will have to be returned for the divorce. Sometimes they succeed; other times all their wisdom and eloquence are in vain. Cupidity, the need to obtain the means of a [114] bride price for a wife (for oneself, a son, a brother, etc.) and the profit he reaps from the union silence all other feelings. Here again, everything depends on the character of the individual. Nowadays the greater freedom resulting from colonization has reduced the frequency of such cases. Nevertheless, because of the reasons given, they still occur. But more frequently the ceremony takes place in a normal fashion. As long as it has not taken place, no further bride-price payments are made. This fact is sufficient to show the importance of the ceremony in Nkundó law, and thus the importance of the woman's public and official consent to the marriage proposed, though this consent is not expressed in words but only implied in a special, meaningful act. Cases which seem to contradict to this statement are clearly breaches of that law.

In normal cases the father accepts the arrow or the rings from his daughter's hands and thus establishes his consent to the engagement and consequently to the marriage.

In other forms of marriage, which we will discuss later on (Chapters III and IV), consent is expressed in an entirely different fashion.

5. Abduction

585 Even before the coming of the Europeans there were instances where lovers persisted in their desire to marry in spite of the opposition of the woman's parents. When the parents refused to accept the gift, the engaged pair arranged an opportunity to flee. The woman tried to win her brother over to her cause, and out of brotherly love he usually

4. The amount of the walo

[125] Formerly the amount of the walo averaged 20 to 30 bekonga, or their equivalent. The value of any object included in the bride [126] price could be calculated in copper, so that the konga was, so to speak, the monetary unit of the Nkundó.

At the present time in the districts near Flandria, the minimum is from 35 to 60 rings. Among the Bofingí and the Ingóló the rings [94] are noticeably bigger and their weight in copper or brass is greater; there the minimum can be 30 rings. Elsewhere the figure is a good deal higher.

The price of the walo generally exceeds the minimum, which is found rather rarely. The average is about 60 to 80 rings. The number of 100 is reached only in extremely rare cases and it is exceeded even less frequently (see cases given below).

Differences in the amount of the walo are due primarily to the relative wealth of the contracting parties, the husband's valuation of his wife, the greed of the latter's parents, and the size of the bride price demanded for the woman they want to obtain with their daughter's (sister's) bride price. The cases of women who have left their previous husbands also must not be forgotten, for the new bride price must serve to reimburse him.

The amount of the walo may also be increased to satisfy the [127] vanity of the woman, who wants to appear superior to her companions, or of the husband, who wants to be recognized as very wealthy. (1)

> 1. The man who pays a great deal for his wife is given the honorific epithet esikolowo, "wells and mushrooms." All can find as much water as they want at wells, and there the mushrooms multiply. Thus many can benefit from the riches brought by the son-in-law.

[127] It is not unusual to hear of a woman boasting in the course of a dispute: "I am not a slave; my husband paid so-and-so much for me. [128] But you -- your husband doesn't love you, or else he is poor, for he paid only so much."

On the other hand, it also happens sometimes, and even quite often, that although the woman loves her "husband" (in the improper sense) she does not want any change. At heart she remains attached to the kin of her deceased husband, through her love for him or because of her affection for his family, who have always treated her well. It is not unusual for the common-law husband to encounter unalterable opposition to a regular marriage. The woman may [198] even take such offense at the proposal that she will leave the man for a close relative of the deceased.

In this type of situation another sort of development may also occur, although it is quite rare. For example, there is the case of Lowâka, daughter of Bompôtê of Bonsulo. After the death of her husband, Bonfua of the Bonfua Ilôka (Lokilê), she was taken in marriage by one of his relatives, Nkenge, who gave the prescribed lewangîwê to Imomo of Bofalambêka, Bonfua's bonsâkôtê. After a certain time Imomo, who had had a slight quarrel with Nkenge, did not want the situation to continue. He demanded a regular marriage so that he could make use of his rights to Lowâka's bride price. Nkenge agreed and paid 60 bolonge to the woman's parents, who reimbursed Imomo. Imomo returned the lewangîwê he had received, and thus Lowâka became the true wife of Nkenge.

One can see that the gamut of individual variations comes into play here, depending on the temperament and the feelings of the persons involved. But the most common practice is for the widow to remain attached to the family of the deceased or to remarry in the prescribed fashion.

In the latter case the widow goes to a man who is not related to the deceased, either immediately after mourning or after a period of conjugal life with the heir. The latter is entitled to a reimbursement of the bride price. The new husband must make all the customary payments through the medium of his own nkonge, exactly as he would for a first marriage by nkumbê. Consequently, this union is not considered a "marriage by inheritance," with which it has nothing in common.

In any marriage by inheritance -- that is, where no bride price payment is involved -- the husband, whether he be the heir or

price. The rights of a polygamist's sons over their sisters' bride prices are not absolutely equal [548]. One of them can oppose the decision that one of his brothers, born of a different mother not related to his, should benefit from the bride price paid for his uterine sister. His right will inconceivably prevail. But if he has other sisters, it is his duty out of brotherly love to help his less fortunate brother. If both of them have uterine sisters, there may be an exchange of bride-price rights which will hurt no one. Finally, if only the younger brother has a sister, his right to her bride price is precisely defined and personal, and it may therefore happen that he marries before his elder brother. But unless the mother is absolutely opposed to any such arrangement, an attempt is usually made to settle the matter in a friendly fashion by assigning the future bride price of a niece or cousin to the younger brother. The rules as we have explained them hold absolutely only for the present time. They also existed in the past, but the delay in the sons' marriages, as described above, resulted in a transferring of rights which could completely upset this order. Since, in practice, many men began their married lives after the death of their fathers or uncles, thus with inherited wives, the elder brothers benefited from the rules before the younger ones did. (1)

1. See also Chapter II, Article X.

x. Lastly, the eldest son may be deprived of his rights for certain reasons, such as a serious failure in his duties of respect and submission to his father. To punish him his father may cause him publicly declare that he has lost his position as eldest son, and forbid him to acquire a wife. This practice is no longer common today. It would have little effect, for the young man would go and seek his fortune elsewhere. But history has left us some examples like that of Ekfet ya Lonkinja, the first-born son of Ekfet Elongema of Longfinkel, the ancestor of the Bombelinga wa Bokondo family (Bosondo).

Article II. Property

[577] Through marriage, a woman does not become a member of her husband's clan. If for example she is born into the Buffalo clan, she remains all her life _bauf Buffalo_, "member of the Buffalo clan," and her corpse has to be buried in her native soil. In case of divorce and remarriage, the new husband does not refund the bride price to the former one; he pays the woman's parents, and they reimburse the forsaken husband.

[577] [571] All the wife's activity, however, is directed toward the good of her husband and his family, and this is so from the time of the _Guidi_ payment. Her parents have no further rights over their daughter. All the fruits of her labor are her husband's property.

If she finds objects that have no owner, such as, for example, elephant tusks or buried copper rings of which no one claims ownership, they do not belong to her nor to her family, but exclusively to her husband. If he shares with his parents-in-law, he does so out of affection and respect for them. He has no legal obligation to do so, but propriety and cordial relations impose a certain duty on him.

Profits from the sale of the products of her industry (such as foods for market, mats, salt, pots, baskets) belong not to her but to her husband.

Even whatever she acquires during a visit to her parents, everything she finds while she is with her family, the fish she catches, the caterpillars she gathers in the forest there, all that belong exclusively to her husband.

It sometimes happens that a woman infringes on the husband's rights in this respect. If he is kind he will generally let her do as she pleases. Severity on his part would be attributed to a lack of affection toward his wife or a lack of delicacy toward his parents-in-law, and he would even be criticized for being stingy (never unjust!), a more serious criticism than the others from the Nkundi point of view. [581] Dishonest conduct on the part of a wife, however, may give rise to incidents, and even to serious ones. That is what happened in the historic case of Ekolako of Ikongo-Ikongi II), who was married to Mpoko of Imoma. She had gone fishing at home and had given all her fish

to her brother Bolimotenge. Her husband did not pass the point. But at a meeting where much beer was consumed, his companions teased him for his excessive leniency, which they explained as a weakness on his part. Mpoid hereupon went into a rage, and the result was a bloody war between the two clans.

A husband is expected to provide for his wife and to set aside a fair portion of profits gained for her clothes, her utensils, etc., or quite simply to give her the means to take care of her own needs and those of the house.

Thus, although the husband is the sole legitimate owner of the fruits of his wife's labor, another law requires him to give her the amount she reasonably requires for her maintenance. If the wife appropriates the profits without informing her husband in advance, her action is an infraction of the law. If the husband does not give his wife what is necessary and useful to her to the extent that he is able, his action, too, is an infraction of the law.

Fish caught by the wife are cooked, and those that remain are smoked and thus preserved for the use of the household as a whole. If a husband is not too badly disposed toward his wife, he will let her have a portion for her family.

The fields set up jointly by the couple (the man cuts the forest, the women burn and clean the field, plant and carve for the crops) are the husband's property. The fruits of the field are used for their joint maintenance and that of their children. Profits from the sale of a portion of them are for their common use. They settle these matters between themselves as do most European families. Naturally, there are infractions in this respect also, and one spouse or the other sometimes enlarges his share for his own benefit or that of his parents, or disposes of goods without communicating his intentions do so to the other in advance. [264] But all decent people disapprove of such behavior. (1)

1. There is a fable which teaches the right attitude to adopt in such situations.

gravity of the situation. In general, the wife's parents judge impartially, because they value the stability of the marriage. If the husband feels that he has been wronged, he can always appeal to the ndonga, but ordinarily there is no need to do so and the matter is settled in a friendly fashion and in private. If the woman is found to be in the wrong, her parents scold her and take her to task. Provided with some gift (two or three bakonga, for example), they return her to her husband, advising her to behave in a more suitable fashion in the future. Should she resist, her parents will not hesitate to use threats and curses, and these seldom fail to have their effect. Nowadays women have become more emancipated, and it does sometimes happen that such a woman will scorn her parents' decision, especially if she has a lover somewhere beyond the reach of family justice. If it is the husband who is in the wrong, his wife will not go back with him until he has begged her to do so by paying a few copper rings or other valuables, the amount depending on the seriousness of the situation. This act on the husband's part is expressed by the verb bɔnda [271] and the noun bɔndo, terms which do not apply specifically to this case only but are used whenever pardon is asked for a serious offense. This payment is not a fine or indemnity; it is more closely equivalent to the apologies and retractions customary among Europeans.

At the present time some women go back to their families for very slight reasons. Freedom and a greater ease of communication, together with a desire for emancipation, which is no longer held back by the rein of ancestral sanctions, are the cause for this state of affairs. They are still held back somewhat by the risk of a rupture of the marriage, a possibility which they generally would rather not see realized, especially if the bride price is quite large.

In the past, if a woman was married a short distance away from her parents, she could always run away to them when there were domestic disputes. Even if the route led through other villages, it was always possible to take a direct path through the forest, for such paths exist everywhere; they go around the villages in between so that, in case of conflict or danger of assassination, a traveler can go his way without being seen. When a woman was married into a

distant village, the situation was different. Not only did the run many grave risks on the way, but it was not easy for her clan to intervene on her behalf and to obtain respect for her rights by means of force. It can be readily understood that if a wife found herself alone and isolated, without effective support from her family, her husband and parents-in-law could feel free to do her many injustices if they were unkindly disposed toward her, unless the ndonga was sufficiently influential to keep them within limits. Hence the proverb bol'ôsika, mbila ngá likwála, "if the native village is far away, peace (in the household) is like slavery." [272]

In the course of domestic quarrels an exasperated husband may shout at his wife: "Go away, go home." Usually she simply goes to the home of some female relative to wait till calm returns. But sometimes she may take his words literally and go home. When her parents are informed of what has happened, they tell their daughter that she is in the wrong. Such a thing cannot be taken tragically. The husband has acted in a moment of bad humor and extreme indignation. He did not really send her away or repudiate her. There is no question of hate or indifference. Thus the matter is not taken seriously, and when the wife calms down, her parents persuade her to go back to her husband. If he likes her enough the matter ends there; it is forgiven and forgotten. Even if, having gone to her family under these circumstances, the woman becomes ill or dies there, she herself is responsible. Thus sending her away in that manner is not in any way taken seriously; it has nothing in common with a repudiation and cannot even be compared with a wife's flight because of bad treatment.

To summarize, if a wife leaves the house in which she lives with her husband, he is obliged to go and fetch her whether she is in the right or in the wrong. On the other hand, parents will send a daughter back to her husband if she is too easily angered and runs away over trifles. The following are generally acknowledged as serious and justifiable reasons for flight: serious failures in fulfilling marital duties, punishments or repressions without just cause, excesses in just punishments.

393 60a 591 We should add that in some households, difficulties arise rather easily during the visits of parents or parents-in-law, because of the sensibilities, incompatibility of character, or discontent of one party who may consider the other guilty of discourtesy, lack of delicacy, disrespect, or stinginess toward the visiting parents. The same is true for the rearing of children. [273]

4. Punishments

593a 578 Nkundó law permits a husband to inflict corporeal punishment (bikiñjwé, sing. ekiñjwé) on his wife, its nature varying with the seriousness of the case. Obviously these sanctions, expressly permitted by law, cannot give rise to claims on the woman's part [574] or result in the obligation to pay a bofúndo. [Editor's note: Unless, of course, the husband -- acting in excess of his rights -- is more violent than the occasion warrants for under such conditions, the wife, supported by her family, attacks the husband, who is then [618] forced to acknowledge the harm he has done and make reparation by means of a bofúndo.] If she is hurt she may claim a supplementary payment called liombo (from the verb bomba) or "bandage" (for the wound); it consists of 5 rings or more, depending on the situation. [626] The loss or breaking of a tooth is considered a serious injury. For this is a real injury to the woman and, in the case of front teeth, to her beauty. (1) Of course, as explained above, the wife will first have

[304] 1. Because they are filed, the incisors are much less resistant than normal teeth. Teeth filing is practiced for reasons of beauty.

run home, and it is there that the dispute is examined.

593b 578 467 For the sake of a clearer understanding, let us go into a few details concerning the penal stipulations of Nkundó law in relation to the life of a married couple.

Usually, in a simple domestic quarrel, the couple does no more than tell each other some home truths, seasoning their speeches

577 with a few vulgarities. If the woman goes beyond that, her husband
597 gives her a good slap, but he cannot allow himself to exercise his
604 muscles further upon her.

If a woman's tongue is too voluble and she permits herself to deliver gross insults without a suitable reason, her lack of respect is considered punishable. It is not considered proper to right this wrong by means of blows, however, although in practice impetuous young men do not always restrain themselves. The sanction preached by tribal wisdom is the man's abstention from food prepared by the guilty wife, and his refusal to perform the conjugal act. A Nkundó woman is very sensitive to such measures. If she is really recognized to be in the wrong and peace is not promptly re-established, the wife's [574] family will beg the husband to calm down and offer him a bolondo, which may be as great as the value of a dog.

578 In the course of a quarrel a Nkundó woman may resort to a
578 roundabout way of expressing her feelings; instead of cursing her husband directly she will address herself to a domestic animal which passes in front of her. The man is naturally not deceived, and the effect is identical.

What we have said applies to ordinary insults such as to wish a person's death, which may be expressed in the following ways: *owé* "drop dead," *ntsi ékokumbé*, "may a leopard get you"; *ntsi ékokingé*, "may a snake bite you"; *ótówé é?* "aren't you dying?"; *ókoma*, "why don't you get sick"; *bókondimé odi ngélo*, "may you be carried to the cemetery"; *bókolumdé*, "may you be buried." Invectives based on physical defects or designed to humiliate a man fall in the same category. For instance a woman may call her husband *bololí* or *etsúla*, "a nobody," or *imemólo*, "idiot," or *inyanyama*, "beast," etc.

If, on the other hand, the woman in her volubility attacks her husband's parents, the matter becomes more serious. The Nkundó react very badly to verbal excesses directed toward them. Whether he is subject to teasing on their account or to insults such as "eat your mother (or father)," or to obscenities in relation to them, or whether the speaker "distorts" deceased parents in evoking their memory. (1)

[195] 1. For the sake of documentation on Nkundó psychology and morals, here is the Latin text

S. Holmes--298 M-S (ca. 1930) 1938 FOSS Mongo FOSS Records

of a few fashionable expressions: vulva
matris tuae, comeda matrem in clivoside,
cui cum mama. The same expressions,
mutatis mutandis, are used with reference
to a person's father, brother, or sister. The
expressions used for "disinheriting" are
simulada ilongo, inf. nyongf, etc., that
is, "subsume your family, father, mother,
etc., or bajwt bilf, "your corpses," that
is, your deceased parents (this last expres-
sion especially excites a strong reaction).

the effect does not vary greatly. [276] The only difference is in the intensity of rage and of the reaction, which depends on the individual temperaments of the interested parties.

A Nkumbi is greatly outraged by obscenities hurled at him by his wife, especially if she attacks him in public. His reaction is always violent. Usually it comes to blows, a thrashing, and sometimes the knife. But if the husband wants to remain within the limits of the law, he cannot injure or, more especially, kill his wife on his own authority. Before going any further, he must bring his case before the ndonga. His family is invited to the meeting and, if possible, so is the wife's father. The outraged husband presents his case and warns the persons assembled that one day his exasperation will lead him to take up the knife. Having taken his case before qualified persons, the husband can from then on go ahead and avenge himself for the disgraces his wife may inflict on him; it is lawful for him to do so. If the guilty woman starts again, no one can accuse her husband of wronging her, for she herself is at fault and he has warned her in accordance with all the rules of the law.

Modern young people do not always follow this procedure. But their revolutionary spirit often brings them reprimands and often gets them into great difficulties. The elders jealously guard their authority, and no one may reproach them for doing so. Therefore in a palaver of this sort, a father will sometimes forsake his son.

Since the impetuous youth did not want to observe the ancestral customs and considered his strength superior to the law, his action is not justifiable. We must admire among many of the old natives the innate feeling of justice and impartiality that makes them disapprove of and condemn their own children. Furthermore, if the penitence avenger of his honor does not change his ways and endeavors to combat the thoughtless violence of his temperament by replacing it with a sense of measure, his marriage will not last. And he will be the one [278] accused of having caused the break. The matter is clear; it is quite true that the woman started it. The husband therefore had all the trumps in his hand. Why, then, did he not use them? If he had followed the procedure required by law he would have gained his case all the way down the line.

The fact that a husband must first inform the mbongo and the family authorities does not mean that he has not the right to punish his wife in a violent fashion. This practice is observed to avoid excesses and abuses. The husband is not given the freedom to do as he pleases. Recourse to the representatives of family authority may be considered as a kind of delegation of their power.

These legal provisions of the Nkundó are truly wise. While they give an outraged husband the right to punish his wife and, therefore, to hold her in check, the law imposes a rein on the impetuousness of unthinking anger. Furthermore, by requiring that these matters be made public, they avoid interminable discussions and palavers on the subjects of fines to be paid, etc.

In the past certain men were capable of becoming exasperated [92] by the disgrace to the point where they were no longer able to master their rage. Women were killed for this reason. The Nkundó say that a man would not let himself be carried to this extreme unless driven to it by the great love he bore his wife. This comment has a psychological validity. Nevertheless, such an action was not praised and could even produce a war.

It sometimes happened that an enraged man who wanted to kill his wife under such circumstances was prevented from doing so because he had to abstain from assassination to maintain the efficacy (nimbe) of a practice (bott) in his possession. He therefore had

recourse to the assistance of a third party who -- for remuneration, of course -- undertook to carry out his project. This task was usually confided to Batwa, who did not disdain this type of work, which was quite suited to their taste.

The fact that the law gives the husband the right to punish his wife [277] for the type of crotery under discussion meant that a wife had to exercise some discretion in her choice of expressions. Fearing violent reactions, she often spoke the more serious insults softly.

Since the European penetration women are more daring. For their husbands fear European justice, which follows principles entirely different from their ancestral law. Thus they complain bitterly of the insolence of their wives: "We have become slaves; the women are now all-powerful. They may do as they please, for we can no longer do anything to them." But as soon as native courts are sufficiently educated and are freed from what an eminent colonial jurist has called "the jurisdiction of palavers" (1), they will no doubt effect

1. See A. Sohier, Bulletin des Séances de l'Institut Royal Colonial Belge, Vol. 6, 1935, 1, p. 60 and passim.

a salutary change in this situation.

The emancipation of women is one of the factors that have increased the frequency of divorce. For a man who cannot avenge continuous outrages remains dominated by shame, and the presence of the one who is the cause of it must become unbearable in the long run; whence the indifference, antipathy, hate, and the inevitable results of that permanent confusion in the household.

Men among whom the feeling of modesty was highly developed hanged themselves out of shame instead of attacking the guilty wife. That is what many natives have maintained in talking with me. Nevertheless, I have no knowledge of a present-day example. When this happened, the wife's family no longer took action against their daughter. Nor were they obliged to pay an indemnity, although their child had brought about the death. They simply had to acquit

themselves of the usual and ordinary obligations incumbent upon them on the death of a son-in-law. Should this be taken as a kind of implied condemnation of suicide? [278]

The wisdom of the elders recommends to youth that they not let anger lead them to brutal acts even where, legally, it is permissible to use force. They do not act in such a way through a policy of adaptation to the present regime. Even before the arrival of the white men, they gave lessons in calm and self-mastery. For serious blows, wounds, and especially homicide could have deplorable consequences legally and even politically (war). They preferred recourse to punishments, such as abstention from food and the refusal of debitum conjugale, which although less violent are not without efficacity. In that way they were also spared the vexation of in-laws, whose pity would be aroused by the wounds and bodily suffering of their child or sister.

One thing that deserves blows or a good whipping because it is considered a serious failure in the fulfillment of the duties of married life is indifference and negligence in housework. A husband may safely deal forcefully with the situation, although he must first inform the qualified authorities. The following are some examples of such faults: the wife does not give the necessary attention to the kitchen, her children, the cleaning of the hut and court; she neglects her crops, does not go fishing, makes no attempt to obtain salt, etc.; in short, she does not give the required time and care to the tasks incumbent upon her. She herself, her children, and her house remain disgustingly filthy, her fields and banana groves are invaded by weeds and her pantry is devoid of utensils and food, while she wastes her time doing nothing or rather spends it running about the village, going to one woman's house, chatting with another, spending the better part of her day gossiping. The Nkundó does not put up with this sort of behavior, and no one can reproach him. Even other men and the woman's companions condemn [279] such conduct. Often the woman is ridiculed, and on occasion she may hear unflattering comments such as bómot'ôw'asolé, efufa gutsgamaka, "a gossip, her cloth is to the side," that is, the interminable chatting

to which she devotes her time, sitting on a couch or a log, so occupies her attention that she is no longer aware that her narrow garment is no longer in its proper modest position, and the gossip is therefore exposed to shame and ridicule.

In addition to giving his wife a good whipping, the husband also brings out his vocabulary of invective and sarcasm. The woman does not run the risk of complaining, for she knows in advance that she will be placed in the wrong. Nevertheless, the discreet husband will not go too far. The elders suggest that the young people moderate the violence of their expressions. For, they say, "a woman is more sensitive to it than a man; she might go and hang herself in the forest," Ekinya ɨyakɔnɔ lɔ́ lá nɔ́nyí, "Ekinya (the ant) will hang herself one day out of an excess of shame" (this is a reference to the way this insect bites into a blade of grass or some other object and dies rather than let go). "And above all," they say, "do not extend your insults to your wives' parents, for they could urge their daughters to leave you."

With respect to adultery, the punishments prescribed in Nkundó law will be examined below in Article VIII.

It is apparent from the preceding description that the Nkundó attach relatively little importance to the outpourings of loquacious eloquence characteristic of the weaker sex as long as they do not go beyond limits or degenerate into outrageous and ignominious insults. The elders teach youth to be calm in the face of these demonstrations of the declamatory art at which most Negresses are as adept as our fishwives at home.

They say that a woman is like an elephant: lɔ́mɔtɔ ɛlɛ ɛ́ nyɔ́kɔ. There is nothing to be done about her. It is futile [260] to try and speak gently to her; she does not even listen. To impose silence on her is impossible. To try and calm her, make her listen to reason, is a waste of effort. It is the same with an elephant: He can perhaps be chased away with cries and noise, but he will destroy the crops nonetheless.

The fact that a woman readily opens her mouth is not considered a sign that she does not love her husband. The Nkundó even

dare to maintain that a woman's speaking out about her husband is a sign of affection. On the other hand, a woman who instead bewails her lot softly and quietly saying, *ngôye fiaka lôl i'ôm'ong so?*, ("mother, what shall I do with this husband?"), will not be with him long. Her complaint is chiefly egoistic, while the other seeks the good of her spouse and her household.

As we have already mentioned, the perfect punishment, and one frequently employed in ordinary cases, is a husband's refusal to eat food prepared by his wife or to wash with water she has drawn or boiled. It is a type of reprimand to which she is sensitive. The husband's aversion must not last too long, however, for it could lead to a breaking up of the marriage, more especially since in the end the women would begin to suspect infidelities -- which do occur.

The fact that Nkundó law does not allow the husband complete freedom and clearly limits his rights does not in any way exclude the occurrence of infractions. The mass of human beings is always inferior to the moral ideal imposed by legislation. But these provisions of Nkundó law do protect a woman against her husband's excesses. We have already cited the expedients available to her: abandonment of the home shared with her husband, legal apologies (*bolimbi*), indemnity for injuries (*lisombo*). In addition, a wife who has been wronged will abstain from foods (such as meat or palm nuts) given her by her husband and, even more important, will refuse to have sexual relations with him. And for our people this is a great affront. In order to re-establish a normal and peaceful situation, a husband often has to pacify [281] his spouse by means of a *bolimbi*. In addition to the measures mentioned, a wife may of course use insults, of which every native has a rich and varied collection.

No one can condemn or reprimand a woman for abusing a lazy husband. If he does not go to the hunt and bring back game, if he neglects the building or repair of the house, if he is too much of a laggard, if he does not fell the forest to set up food crops, it is clearly he who is in the wrong, and he will find no one who will approve of his conduct and condemn his wife. If he turns out to be incorrigible, it will not be long before the marriage is broken, according to the axiom *elôngʼey ɔmoto fiʼokôfo*, "the woman's victory is divorce."

If a woman injures her husband during a quarrel he may not retaliate, for she is recognized as inferior and weaker than he. The husband's weapon is abstention from any food, drink, bath, etc., that she offers him. To re-establish peace she must pay a hulimbo. Nevertheless, nowadays some impetuous men no longer like to observe these rules; they want to act with violence come what may. But they are strongly reprimanded by the old men, who maintain that it is unworthy of a man to retaliate against a weaker being. This traditional attitude of the Nkumbi seems to me to indicate a sort of chivalrous nobility based on two feelings, justice and pride. It becomes more understandable when we know that similar conduct is [426] expected with regard to Bantwa, inferiors, and subjugated clans (hwalé, sing. jalé) in their respective spheres. (1) Thus a Bantu may

1. See below, Articles V, VI, and VII.
4. B.

not apply the law of retaliation to a Bantwa. Under certain circumstances, a jalé clan may, with impunity, take what they please from the banana groves of the master's clan, etc.

Note also that it is very much out of place for a man [393] to strike his wife or punish her in any way in the presence of her parents, [427] brothers, etc. In fact, this is a very grave offense. And, according to the code of honor, the brother (cousin, etc.) must pick up the glove and fight his brother-in-law to avenge the insult. In many cases the matter ends in a divorce. For such conduct takes away the combined feeling of modesty and embarrassment (nsôny) that the two parties normally feel toward one another.

Finally, we must note that the various payments made as hulimbo are included in the total amount of jingi or nkumi, respectively.

In order to more clearly illustrate the Nkumbi attitude con- 393 cerning the relationship of husband and wife, it might be of interest to cite a few proverbs pertaining to the subjects discussed above:

1) Bantwa bakitondaka wêji'â mvaka: Lombômbé akitonda Nkulé la nganja. "All the others slap their wives (but) Lombômbé beats Nkulé with a stick." (This is a reference to a historical fact.)

606 women called "mother," such as the mother's sisters and the father's wives. The law does not seem strictly applicable to these persons, but seems to cover them by extension. On the other hand, there is no comparable law with regard to a woman and her father-in-law.

606 ETE A violation of this prohibition results in a great palaver, for it is considered a serious lack of respect. It may produce a serious domestic quarrel. [290] A wife will refuse to perform the conjugal act with her husband because he has looked at his mother-in-law. That is why people help each other by warning each other of the "danger" when their respective mothers-in-law arrive.

Compensation for the offense may be made by the payment of a bolenge of several bekenge to the mother-in-law. As long as the payment has not been made, the wife will not fulfill her conjugal duties. After it has been made, everything goes back in order. If it is proved that the situation came about involuntarily, there is no palaver and no payment is required. Nowadays the best Christians tend to give a bolenge once and for all to definitively settle any palaver that may occur in the future and to avoid the obligation of having to submit to this prohibition, since they are beginning to vaguely perceive its uselessness.

[557] A man is even forbidden to pronounce the name of his mother-in-law in her presence, even to address or call another person of the same name. In such a situation he must resort to a surname or paraphrase. Usually he addresses her as mbômolé. An infraction of this rule results in the same punishment as if a man were to look at his mother-in-law.

606 If we ask the Nkundó to give us the reason for this custom, as it is so strange to our point of view, they reply that they are ashamed or embarrassed to see the women who begot their wives, and that to do so would be a grave offense to her. The custom is a means of expressing the respect a son-in-law owes his mother-in-law, and of avoiding unceremonious behavior or too great a familiarity toward her. That is all the explanation they give. For our philosophical turn of mind, it does not exhaust the subject. We are tempted to look for a connection between the intimate relations of the married couple and

607 dictions." There is another, which is cruder: bokilí wótswe oléfú:
559 bofumbe bólíngi mísí, ení tholéfú wé, "relative by marriage, let us go to the palm grove, the bofumbe nuts (Dacryles wilsoniáná) eat palm nuts; I will eat you." The following saying, applied to someone who is always trying to clear himself, is a more or less involuntary accusation: mpfí thóló, ndíle é mpfónga; mpfónga y'thólí mokó ngé mbwá, "I do not eat my relative by marriage; on the contrary, I dip (food) in his fat; an in-law's fat is as tasty as a dog's." [196]

Nevertheless, a man never goes so far as to cause the death
602 of his sister's daughter's or other relative's husband. Or, as the
621 Nkundó say, one does not kill a person by whom one has been enriched. What is the reason for this distinction? According to our people it is the affection they feel toward their sister, daughter, etc.; they love them too much to pain them by taking away their husbands.

This treacherous and barbarous conduct is therefore directed by the bokilí toward the bokonga, that is, by those who have paid the bride price to those who have received it, but never the reverse.

Appendix

000 This appendix pertains to each of the three preceding articles. Therefore it may reasonably be placed here. It does not deal with any special law nor with a custom that is legal, universal, or common. It is concerned with isolated cases. But it seems to me that the few lines to follow are not without interest, since they give a good indication of the mentality that may be found among these people.

622 It may happen that a woman has a complaint or feels she has
578 cause to be dissatisfied with one of her relatives, for example her brother. In her opinion he may not be sufficiently kind and generous toward her, or he may treat her in a manner she considers unfair. In a moment of anger she reveals her feelings to her husband and incites him to avenge her by injuring or even killing the one who has offended her.

That is what happened several decades ago to Boeela w'Ompwengé of Bolénge (Bongili) (who died in 1932, a very old man). His wife Ilumbé was very dissatisfied in that her brother did not give

her enough gifts. She addressed her husband as follows: *to-wé bé'ngé ésumbá'á ndóa, eléká ongómako ólóa.* "Your corpses (deceased persons), kill my brother for me, he always refuses to give me [197] presents. (1) Whereupon Bowila took his weapons and went off.

1. This is one of the most serious insults. But a person to whom it is addressed considers it a duty to take up the order or invitation made in these terms. It is a sort of forced oath, and it is called *nkúa odáf, aleya (ólóala) X náf*. These terms may apply to many other situations: a call for help during a war, assistance in inflicting an ordeal, assistance in the *lisá* (society of those who do not observe funerary abstinence), etc. A person may address himself in this manner, and in that case the expression corresponds to our word "oath," "to take an oath."

Being a good psychologist, he made no mistake about his wife's personal feelings. He knew that he was involved in a dangerous impasse: if he disappointed his wife's expectations, she would be furious; on the other hand, if he took his brother-in-law's life, she would be even angrier. The thing to do was to resort to a trick. When he entered the forest he had the good fortune to come upon a *bomolo* antelope, which he slaughtered. He removed the liver and went home carrying this organ, still fresh and warm, in his hand. He presented it to his wife, saying, "Here is the liver of your brother whom you asked me to kill." There followed a violent scene. The woman, beside herself, began to weep for her dead brother, and in her anger she ran off, shouting at her husband: "Oh! You no longer love me, since you have assassinated my brother; you will not see me again." When she arrived at the home of her family, she found everyone going about their usual occupations; there was no sign of death or, more especially, of murder. Her astonishment increased

602 when she found her brother in good health and full of life. She
•577 could not believe her eyes. In an instant the whole family was alerted and gathered together. She explained what had happened. They quieted and consoled her; they praised her husband for having behaved so intelligently. She was congratulated. For he could have done what she had told him, so she had reason to rejoice that he loved her so well and wisely. Thus, a few days later, she quietly returned to her husband.

An entirely different course of events, and a fatal one, occurred in the case of [288] Bokilea of Bompole (Bokilhole) who was married to Elikoli of Bo618 (both are still alive). The woman continuously went back to her family. Her husband, exasperated, threatened one day to kill her brother Eale, whom he was sure she would be more inclined to stay home. He actually fulfilled his threat. His wife went into a terrible rage, but she nevertheless remained faithful to her husband. The bow used to shoot the murderous arrow has been preserved by its owner as a souvenir.

Article VI

Relations Between the Wife and Her Husband's Family

602 Naturally, a wife must be on the best of terms with her husband's family, with whom she is in continual contact. She owes respect to his parents and elders. If she does not manage to live in peace with them as well as with her husband's sisters, etc., the marriage will not last. Misunderstandings, disputes, squabbles, and, above all, insults and spiteful comments will force her to leave. Therefore, such contingencies can be put into the category of motives which lead the man's family to interfere in his marriage. There is a constant concern among the Nkundó to avoid the dissolution of the union due to extreme incompatibilities, because any break-up causes enormous difficulties, as we will see <u>sup loco</u>.

It is very hard to discern whether the small services the wife is expected to render her husband's family are legal obligations or simply requirements of social decorum. A momentary omission

A. A woman's misconduct with her husband's son does not result in the payment of an indemnity. Nevertheless, the husband who has been wronged takes action. He defends his rights and is enraged, whether the situation is very serious or not, and especially if he is monogamous. If he has several wives, he is more apt to pass over the matter, unless it involves his favorite. Sometimes he takes revenge by striking the guilty son's mother, taking her hens away from her, etc. But such action may lead to complications. [301] the brother of the woman so treated might intervene, and if the reaction of the husband who has been wronged is too violent or occurs too often, a divorce may result. In any case the father never hurts his brother's son's wife, since he loves her like his own daughter.

The father may apply a direct sanction against the offender by delaying the acquisition of a wife for him and refusing his blessings for his son's travels and undertakings -- still a serious thing in purely native society.

Such relations are always gravely criticized by public opinion, even if relatives intervene on the culprit's behalf. The latter is disgraced as a result; he is marked with the epithet *esheshili*, to which often is added the explicative phrase *l'Ollo boyengé b'olongi*. *Esheshili* is derived from *esho*, "masculine clothing" and, figuratively, "virility in the physical sense," and from *lolo*, "strength." Thus the epithet implies that the culprit is so virile that he goes so far as to unite even with his brothers' mothers.

Marriage with the father's widow after his death is legitimate. Nevertheless, if the widow has left children, public opinion does not entirely refrain from judgment and though the severity of the criticism cited above will be attenuated, it may still be heard. Such was the case of Yokâ of Bokonyola (Bonjoko), which is well known in this region. He married Lokoli, widow of his father Imelo y'Ondjola and mother of Imelo Antoine, present chief of the Bonkoso. (1).

1. With reference to the above-mentioned attitude, an exception must be made with regard to the inheritance of a widow by right

to have relations with her. If the woman refuses to have relations with her brother-in-law, the latter often reports her ill will to her husband, who will reprimand her or even strike her because she does not love his own brother, and will accuse her of having lovers: dokos ndo ka nyɔka, dɔngɔnɛ dɔ wɔnd bokɔnd. Since there is more affection between brothers born of the same mother, the husband's anger would then be even greater. A lack of affection on the part of his wife arouses her husband's suspicions on the question of her fidelity because Nkundó women are commonly ready to yield to temptation. [1002] Therefore if she refuses her own brother-in-law-husband, she must be obtaining satisfaction elsewhere. This reasoning may be false, but it is based on a frequency of cases. The husband's attitude does not show a lack of jealousy; on the contrary, it proves its existence.

If the younger brother meets his sister-in-law in the home of her family, they will intervene on his behalf. They will tell her to receive "her husband" well, to prepare food for him, to clean the hut set aside for him. They will even force her to cohabit with him for the entire duration of his stay in their village. By this means they seek to avoid palavers with their son-in-law. If the woman's antipathy toward her brother-in-law is so great that she cannot be made to submit to him, they sometimes give their visitor another of their daughters (or cousins, etc.), younger than his brother's wife, to perform wifely duties for him.

All those designated as bokɔnd in Nkundó terminology fall into the same category as a younger brother (thus younger male cousins are also included). The seriousness of the conflict that may arise on this question and of its consequences vary in proportion to the degree of kinship between the individuals involved.

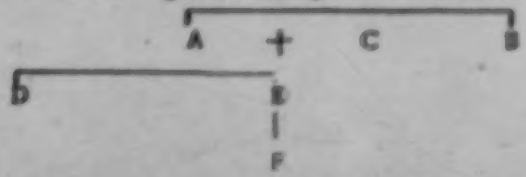
C. The position of a nephew (bɔnkɔnd) in relation to his maternal uncle's wives is to a great extent comparable to that of a son in relation to his father's wives. The fact that marriage is effected through the payment of a bride price gives the nephew greater freedom; for the uncle was enriched through the marriage of his

nephew's mother. There is no question of indemnity, except that of "respect," to show the nephew's submission, and it consists of a hen and a bunch of bananas. If the nephew refuses to make this gesture of deference and submission, he is considered in the wrong and the entire family gangs up on him in order to save the authority and hierarchy of the family. "You are offending your uncle," they say, "no doubt you want him to die so that you can take his place and profit from the inheritance." And the offended uncle, after being patient for a few days, may demand a real indemnity. [306] But then other considerations become involved, and a new situation is created.

Actually, the young man's mother often -- though not always -- takes his side and turns on her brother. Two situations may arise:

1) The nephew's mother may not be born of the same mother as the uncle. In that case she seldom refrains from intervening on her son's behalf. She reproaches her brother for his hardness and his lack of affection for her, especially if the adultereous wife is her ekika, that is, if she were acquired by means of the bride price paid for her. She will say, "To whom do you owe this wife? And yet you demand riches from my son. Give me back my bride price, so that I may get him a wife." The uncle also gets angry, and sometimes accedes to his indignant sister's request and returns her bride price. If he does so all relationship between brother and sister is broken. But this is an unusual outcome; matters are almost always settled before this extremity is reached.

2) If brother and sister have the same mother, peace is always re-established before this aggravation, and the interchange is limited to a few reproaches and a little momentary anger. For the proverb says, bilangí oyangí bifomb'ilingí, "hatred between children of the same mother is but feigned, illusory; it is not true or real."



An uncle (see D above) is not entirely free to cure his nephew's (F) pemien unless he is the *nkôtô* of his sister (C), that is, unless the mother (C) of his sister (E) is the *nkôtô* of his aunt (D).[307] who is the sister of his father (A). Indeed in that case his sister may not complain, for she owes him respect and submission; her subordination to her brother and master is greater than the gratitude he owes her for any riches he may have obtained through her or on her account.

D. In the case of the relationship of a grandson (*bonkodi*) to his grandfather's wives, his freedom is, in practice, complete. Actually, among the Nkundó the affection of a grandfather (*nkôkô*) for his own grandson often exceeds his love for his own son and completely degenerates into weakness. (1) The grandfather puts up with all his

1. As happens very often also in Europe. See Chapter I, Part I, Article I, 8.

grandson's carryings-on, his whims, all his teasing, his insults, etc.

After illicit relations the grandson sometimes carries his insolence so far as to spontaneously send his grandfather a "mock" indemnity in the form of a basket filled with moss in the place of copper rings.

Although the grandfather treats his grandson with good humor, public opinion does not favor the latter's conduct, though it is more lenient than in the cases described above. The public reaction, as well as the sending of the "mock" fine, shows that in principle these relations are censurable and condemned. Because of present circumstances, particularly marriage at an earlier age than in the past, the age difference between a grandson and his grandfather's wives has increased considerably in the constantly growing number of cases, and their relations have proportionately decreased. (2) [308]

2. We have seen above that other Nkundó tribes are even less strict in these matters. On the other hand, the Ekonda, a Nkundó group living on Lake Leopold II, have a

684 to a reimbursement of the bride price, any more than if she had
[721] died of natural causes. In past times death under these circumstances usually resulted in a war between clans. But this extreme situation actually arose only very rarely, if the man was excessively jealous and had other wives or the means to obtain them, or was embittered by persistent and incorrigible infidelity. Most frequently a husband's foresight of the loss he would sustain, in the last analysis keeps him from such drastic action. He limits himself to beating or injuring the culprit or to applying other forms of chastisement or punishment (see below under b); see above, Article III, 2.

If the husband has sufficient evidence, of the sort described above, but has not caught the culprits in the act, the wife can expect a good whipping, accompanied by a whole string of vulgar ex-
● [578] pressions and assorted insults (femina foetidissima, tempore menstruationis putor tuus venit in nares omnium hominum, etc.) as well as
[595] a heap of obscenities pertaining to the female genital organs. The husband who acts in this manner is not reprimanded. On the contrary, he acts thus out of jealousy; our Nkundó say that his anger is an anger of love.

In these punishments the Nkundó above all recognize the exasperation that springs from legitimate jealousy. That is why the husband acts on his own initiative. Besides, when he [316] finds himself confronted with the fact it would be psychologically difficult for him to calm himself first in order to go and inform the ndonga.

It was extremely unusual for a man to kill his wife calmly and deliberately. Such a thing happened only if her infidelities were continuous and she had erred in many other ways as well. And even then this conduct was found only in certain extremely cruel families. It was known that Iloko is 'Ôkungó and Bengóngó bya Kundú had acted in this fashion; both were members of the Bongilá (Besombó), a family which, in its songs, boasted of eating their own wives.

b) Tortures. The husband may also have recourse to several types of torture. Most important among them are the following:

1) The etáka, which is the standard torture so to speak. It is a heavy wooden fork which is attached to the neck. It prevents

[i.e., a husband's killing his wife for adultery.--Analyst]

C. Against a husband and his accomplice. There is no specific sanction in Nkundó law against a husband's adultery, [323] but an outraged wife may take revenge on him, as on her rival. Her weapons against her husband include invective, the refusal of food, drink, baths, and finally of debitum conjugale. These are appreciable punishments about which the husband can in no way complain, for he would be found entirely in the wrong. The woman's actions stem from a legitimate jealousy. Sometimes her feeling becomes so intense that she tears off her clothing and stands before her husband completely naked; this shames him greatly and constitutes a stinging reproach. Invectives flow out of the wife's mouth in torrents: ílolé iné, itutula iné, inyanyama iné, owá lóí ô ndá nyongo, ndá ntémbó, "that imbecile, that good for nothing, that beast, one day you'll die of penalties, of being caught in flagrante delicto . . . ." Then there is a whole string of the usual insults. Our Nkundó say that the more abundant the insults, the greater is the woman's love. She may carry on like this for days, even for weeks. Her responses to her husband's adultery are thus of the same sort as those she makes use of under other circumstances.

If a jealous wife sets fire to the hut in which her husband yielded to his passion, no one can reproach her. The damage was caused on her husband's account.

Against the woman accomplice, the wife may use more violent means. She may fight her, strike her, even injure her. The rival's husband will demand a liombo, or payment "for blows and wounds," which has to be paid not by the wife's family, but by the guilty husband. Thus in the final analysis it is again he who is punished. If the offending woman is killed, it is again the unfaithful husband who is obliged to pay an indemnity to the widower. (See Article II.)

One form of punishment to which a wife likes to have recourse to take revenge on her adulterous husband and his accomplice if she catches them in the act is to pour a pot of hot or boiling water on their bodies. [324]

595x 554 In little domestic quarrels, the bomɑ̃tsa's children like to take advantage of the top rank occupied by their mother. Later, they will have the right to priority, before their brothers, in matters of inheritance and family authority.

595x 567 578 The children of slave women are loved by their father in the same way as their brothers and sisters. However, they are often the object of manifestations of contempt and humiliation on the part of others, especially verbal ones, but only when disputes arise. In particular, they have to submit to the insult of having it said [369] that they are without bonyangɔ́, "a maternal clan." This is one of the most serious insults that can be inflicted by a Nkundɔ́. Nevertheless, their father protects them as much as he can.

[428] The child of a slave woman has no right to an inheritance. Clearly, he lacks for nothing. But he has no political rights, even if he is his father's first-born.

595x 567 The posterity of a slave are not considered as such in matrimonial matters, as we have pointed out in Chapter V, Article II. If the groups descended from free women are extinct, the rights of the clan are inherited by the posterity of a slave, to the exclusion of related clans whose ancestors were entirely free.

595x What is the effect of the system of polygamy on the birth rate? There has been much debate on this question for it is very difficult to answer. Complete statistics well compiled from detailed methodical lists would be necessary. For it is a fact that in many monogamous households the woman is the former wife of a polygamist and for that reason can no longer be counted as a monogamist's wife. In addition it would be necessary to exclude from monogamous households those women who did not marry until an advanced age, after having lived freely for a fairly long time, for example in the centers.

In my opinion the birth rate is endangered above all by the need for individual love and the difference in the ages of the spouses, which is inseparable from the system of polygamy as it now exists. The polygamist's wife instinctively seeks another

764 When the family of the deceased bars the route to the
578 funeral procession, they are manifesting the anger provoked by the
152 death of one of their members. [428] For they feel anger and
[584] resentment, in spite of the fact that the ndonga carries a spear at the head of the procession as a sign that they come as friends, without evil intentions.

This does not mean that the natives attribute the cause of death to the husband and his family. In most cases they are convinced that the latter could not prevent it. Although they express themselves in those terms: lɔ́ɔ́tɔɔmela bɔ́na (nkâna, eɔ́to), "you have killed our child (sister, relative)," they do not maintain that the husband's clan has really killed her, but only that she died among them. Under the circumstances do they feign anger to obtain valuables, for example? I do not think so. The Nkundɔ́ do not say that they simulate anger; they categorically state that they feel it and that they want to show it in the manner described. We should not be astonished at this since -- as we have noted in the study on the funeral customs of the Nkundɔ́ (Les Coutumes funéraires des Nkundɔ́), the emotions of anger and sorrow seem to be intimately related among these peoples.

764 When the funeral procession passes through the last barrier, that which bars the entrance to the village, the husband's clan puts down the body, and it is subsequently lifted up by the family of the deceased, who carry it into the house of the head of the family. They are followed by the ndonga, the bǎnambɔ́tswâ, the husband, and his relatives. The family of the deceased wail over her. Her kinswomen (biũnanyi) show their sorrow-anger by mistreating the clan wives (baâjâ̂la), by smearing their bodies with mud, dressing them in basáki, and hitting them with stinging plants (bansǎnâ). For the deceased is the baâjâ̂la's "husband," that is, a kinswoman of their husbands. The baâjâ̂la treat the widower and his relatives in the same way, because "their husband" has died among them.

The corpse is thus deposited in the hut of the head of the family. Each time that kinswomen who are married elsewhere arrive [429] to mourn over the deceased, the baâjâ̂la forbid them

764 to enter the funeral hut. First they are required to go to the far end of the village, weeping for the deceased, to show their sorrow.

As I have said in the study cited, it often happens that after some time the lamentations slacken and the women keeping
●[578] watch begin to chat. One day I was present during a quarrel on this subject between the biúnanyí and the baájâála. The former were reproaching the latter for not weeping any longer: "After all it is your husband," they said. The others replied, "It is your kinswoman; therefore it is up to you to weep. Are your eyes so dry that they no longer contain tears?"

Sometimes the husband and his close relatives do not participate in transferring the body, because they have not yet succeeded in collecting the necessary valuables. Actually it is entirely legitimate for them to stay at home in such a case, in order not to be exposed to endless discussions and the ridicule of the entire region. In other instances the husband's family belongs only to a small clan, and therefore they do not dare to appear in the village of the deceased. They are afraid that they will not be able to defend themselves properly against the ill treatment that would be inflicted upon them by the women married into the clan to which they go. For in fact these women would mistreat them by throwing mud at them or smearing them with it, and by striking their bodies with stinging plants called bansǎnsǎ. For they consider that the widower, whom, by extension, they also call their husband, and his close relatives have killed their husbands' kinswoman.

In such cases the corpse is brought by distant relatives of the husband. The ndonga apologizes for the husband to the parents-in-law and tells them that he will come later to settle everything. The clan of the deceased receives the corpse and continues to perform the last tributes to it. If the husband has remained in his own village only out of fear of ill treatment, [430] he often waits only until nightfall and then takes advantage of the darkness to follow his wife's corpse.

The corpse must remain in the head of the family's house for at least one night.

764 married the daughter of the first clan, and she had lived happily with her husband, performed conjugal services for him, and had begotten children for him. Subsequently she fell ill, as they were informed at the time, and now God has taken her away and they have come to bring the corpse back to them. The wife's clan replies: "That is understood, but before we continue to ask each other for news, do accept the present (lionja) which we offer you." Thereupon the ndonga enumerates all that has been collected and passes it to the widower.

764 431 The foods thus given are a friendly welcoming gift; therefore they are not counted as a payment nor, furthermore, as part of the nkomí. Only the domestic animals are considered such. They can be eaten on the spot or kept alive. Since the prepared food is a present, it must be eaten on the spot. Theoretically, none of it may be taken home. If it is taken home for some reason or other, however, it is still forbidden to allow anyone to eat of it who was not present at the funeral gathering. As for the raw food, the recipients are free to carry it away if some is left over.

764 578 Disputes may arise on the subject of the dog -- such as one I witnessed one day. The presents offered included the equivalent of the value of a dog in rings rather than a living dog. [435] The head of the widower's family demanded a dog in flesh and blood. The reason he gave was that many of his biúnanyí had come to the funeral and, as an expression of his thanks for their condolences, he wanted to give them a dog. As he would not yield, the wife's family had to replace the two rings with the animal demanded.

Then the ndonga explains to the family of the deceased that he has already brought the nsango, the likongá, and the etóo. Nowadays it happens that the spear and the cloth are not given until this time, especially if the families refrain from erecting barriers and fighting. In such cases the payments of passage are made at the same time. If the two settlements are very near each other, the people are even beginning to omit the sending of the nsango; a bónambótswá goes and confirms the news of the death, which is already expected and which the lokolé will just have announced.

593 Women in particular are very intolerant of having anyone touch
861 their children, even the child's own father. This fact can be attributed in part to a lack of any unity of feeling between the spouses and partly to maternal love, which is purely natural, psycho-physiological, so to speak.

578 Measures taken against a child who has misbehaved often
861 result in serious domestic quarrels, sometimes followed by the wife's flight to her family. Such was the case of Bakutu b'Ofóngé (born around 1880). His father, Bolónjó, had forbidden him to peel a piece of sugar cane [513] in a clumsy and wasteful manner. The boy did not want to listen to reason. Next thing you know he had cut a deep wound in his finger. "What did I tell you?" shouted the father. "Now you are punished for your disobedience." Thereupon the mother, Mbélá, flew into a rage. "Oh! You are killing my child!" and so on. She rolled up her mats, took her baskets on her back, and took the path leading to her village.

Nkundó casuistry includes the case -- which seems hypothetical or at least belonging to the past, for I have never known or heard of a real instance -- of a man taking revenge on his wife for having insulted his child. His revenge took the form of ordering the child to go and kill a goat belonging to her mother's clan, thus obliging the child to pay an indemnity to the owner, so that the mother finds herself thus being punished by her family. The father's right to do this is recognized in Nkundó jurisprudence. But from the standpoint of education the solution is far from ideal.

5) The influence of the kin group also plays a great role.
602 The Nkundó are very much attached to their families. Their chil-
861 dren are at home everywhere in the group. A wife has very close ties to her own family. The father's brothers and sisters are a child's "fathers"; his maternal aunts and uncles are his "mothers." A child's real father does not do much to defend his son against scolding or punishment from his own close kin but does not readily accept the intervention of his wife's family, and vice versa. And again the child can take advantage of such dissension. The situation occurs quite frequently although there are many exceptions.

861 6) The parent's opposition to reprimands by strangers is even greater as a general rule. They try to cover up and justify 609 the faults of their progeny, whom they will fiercely defend. The children naturally know all this and take advantage of it.

595 x 7) The polygamous household, with all its rivalries among co-wives, cannot but accentuate all such [514] adverse effects 578 on the children's education. The conflicts, spiteful comments, 861 palavers, etc., are easily extended to the children. And each wife defends her own.

578 8) Everything is public; there are no secrets; everything is known, seen, and heard. People do not restrain themselves 861 and the presence of children does not stop the flow of insults and obscenities which anger provokes. The young people see many things it would be better for them not to know. They are present at domestic quarrels and are witnesses to dissensions. All this is increased by life outdoors, in the street, and by the thinness of partitions.

177 9) Another factor is added nowadays: the facility of communications and the presence of European stations. Boys can al- 578 ways run away and find shelter with the Whites or their native em- 861 ployees. The girls seek out kinswomen who live at such stations, even though they must help a little with the housework, in the hope of later enjoying a greater freedom and living in luxury. Parental influence and authority are naturally weakened as a result.

861 10) Finally, Nkundó education lacks any solid basis, any religion or religious morality. Everything is based on natural, physical fear: the fear of punishments (physical or based on superstition), harmful consequences of bad actions (palavers, difficulties, fines, indemnities, sometimes the shame of being caught -- as in theft). It is especially this lack of religious motivation that makes their moral education bear so little fruit. As the Nkundó are accustomed to this imperfect state, they do not feel the need for 000 such a foundation. That is why it is so difficult to instill any moral conscience into them. The patient and perservering action of the great Christian truths with their institutions for moral formation (uninterrupted preaching, confession, prayer) are needed to endow